

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/30/18
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RUTH DUARTE,

Plaintiff,

- against -

ST. BARNABAS HOSPITAL,

Defendant.

VERDICT

15 Civ. 6824 (PGG)

The jury hereby unanimously makes the following findings:

Liability

1. Has Ms. Duarte proven, by a preponderance of the evidence, that St. Barnabas Hospital discriminated against her on the basis of her hearing disability in violation of the New York City Human Rights Law?

YES ☒ NO ☐

If you answered "NO" to Question 1, then your deliberations are at an end, and the foreperson should sign and date the verdict sheet, place it in an envelope, and inform the Marshal that the jury has reached a verdict. If you answered "YES" to Question 1, then you must answer Questions 2 and 3.

2. Has St. Barnabas Hospital proven, by a preponderance of the evidence, its affirmative defense that the conduct at issue consisted of no more than petty slights and inconveniences?

YES ☐ NO ☒

3. Has St. Barnabas Hospital proven, by a preponderance of the evidence, its affirmative defense that it would have treated Ms. Duarte the same way regardless of her disability?

YES ☐ NO ☒

If you answered "YES" to either Question 2 or 3, then your deliberations are at an end, and the foreperson should sign and date the verdict sheet, place it in an envelope, and inform the Marshal that the jury has reached a verdict. If you answered "NO" to Questions 2 and 3, then you must answer Questions 4 and 5.

Compensatory Damages

4. Has Ms. Duarte proven, by a preponderance of the evidence, that she has suffered emotional distress, pain and suffering because of St. Barnabas Hospital's violation of the New York City Human Rights Law?

YES ☒ NO ☐

If you answered "YES" to Question 4, state below the amount that is awarded to compensate her for her injuries:

\$ 624,000

Punitive Damages

5. Has Ms. Duarte proven, by a preponderance of the evidence, that she is entitled to an award of punitive damages against St. Barnabas Hospital under the New York City Human Rights Law?

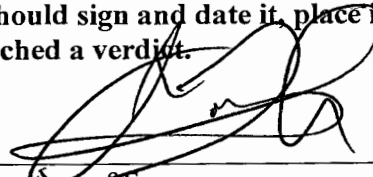
YES ☒ NO ☐

If you answered "YES" to Question 5, state the amount that is awarded as punitive damages:

\$ 750,000

After completing this form, the Foreperson should sign and date it, place it in an envelope, and inform the Marshal that the jury has reached a verdict.

Dated: 1/26/2018



Signature of Foreperson